IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 9107 of 2007(H)

PETITIONER:

BABY SUJATHA,W/O.RAJAN,VAYALIL
PUTHANVEEDU,MAYYANADU P.O,KOLLAM.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY THE SECRETARY,DEPARTMENT OF CO-OPERATION,SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THRIUVANANTHAPURAM.

3. THE SECRETARY,THE MAYYANADU SERVICE
CO-OPERATIVE BANK LTD NO.2294,MAYYANADU,KOLLAM.

4. THE SPECIAL SALE OFFICER,THE MAYYANADU
SERVICE CO-OPERATIVE BANK LTD.NO.2294,MAYYANADU, KOLLAM.

R3 BY ADV. SRI.S.SANTHOSH KUMAR
R1, R2, R4 BY GOVT. PLEADER SRI. S. SANTHOSH KUMAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 9107/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : THE TRUE COPY OF THE LOAN PASS BOOK IN LOAN ACCOUNT NO.6653.

EXT. P2 : THE TRUE COPY OF THE AUCTION NOTICE IIN E.A. NO. 2300/05.

EXT. P3 : THE TRUE COPY OF THE CIRCULAR NO.27/06.

K.M.JOSEPH, J.

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WP.(C) No.9107 of 2007

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Dated this the 12th day of June, 2007

JUDGMENT

Sri.S.Santhosh Kumar appears for the third respondent.

2. Petitioner challenges Ext.P2 and seeks a direction to the third respondent to furnish a detailed statement of accounts. There are other prayers also. Petitioner availed a loan and it was not repaid. According to the petitioner, she is entitled to the benefit of one time settlement scheme.

3. Learned counsel for the Bank Sri. S.Santhosh Kumar submits that petitioner is not entitled to one time settlement scheme. However, he submits that the petitioner is entitled to remission in interest, for which the petitioner has to apply now. Counsel for the petitioner submits that the petitioner will submit an application claiming such remission of interest.

The writ petition is disposed of as follows:

If the petitioner makes an application for remission of interest to the third respondent within two weeks from today, the Bank will take a

decision thereon in accordance with law. It will communicate the decision to the petitioner within a period of one month from the date of the request. Till such time as a decision is taken and communicated to the petitioner, proceedings will be kept in abeyance. It is open to the Bank to allow the petitioner to pay the amount in instalments.

(K.M. JOSEPH, JUDGE)

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